

WEATHER REPORT.

Washington, Aug. 13.—Forecast for Tuesday and Wednesday:
For Virginia—Generally fair Tuesday with warmer in western portion. Wednesday fair; light to fresh southwesterly winds.
For North Carolina—Generally fair Tuesday and Wednesday; light southwesterly winds.

Norfolk and vicinity.

Conditions favorable for light showers, continued warm, light northeast winds.

METEOROLOGICAL DATA.

August 13, 1900.
Maximum temperature 95
Minimum temperature 78
Normal temperature 80
Departure from normal +15
Departure from normal since January 1st +70
Rainfall in past 24 hours 0.0
Rainfall since first of month 0.1
Mean relative humidity 71

CALENDAR.

Sun rises at 5:21 a. m. and sets at 6:53 p. m.

TIDES.

High water at 11:35 a. m. and 11:55 p. m. Low water at 5:17 a. m. and 5:51 p. m.

PAIN-KILLER as an internal remedy has no equal in cases of summer complaints, diarrhoea, dysentery. It cures quickly. Used as a liniment, its action is rapid. It is a powerful antiseptic, burns, scalds and sprains. For the headache and toothache, don't fail to try it. In short, it is a Pain-Killer. Avoid substitutes. The "Pain-Killer," Perry Davis'. Price 25c and 50c.

DEATH.

VELLINES—At her residence, No. 113 North River street, on Sunday, August 12th, 1900, at 10:30 o'clock A. M. Mrs. MATHIA A. VELLINES, in the 63d year of her age.
The funeral will take place from the above residence THIS (Tuesday) AFTERNOON at 4 o'clock. Friends of the family are invited to attend.

You are invited to personally examine our assortment of Marble and Granite Memorials—the largest retail stock in Norfolk. If unable to call, write for free illustrated catalogue. We guarantee delivery of shipment and pay the freight.

The Corner Marble Works
(Established 1818)
119 to 121 Bank st., Norfolk, Va.

MEETINGS.

THE STOCKHOLDERS OF THE TRUCE GROCERY CO. are hereby notified that there will be a meeting of the stockholders of the company, to be held at the company's office, 12 and 14 Water street, Norfolk, Va., on the 18th DAY OF SEPTEMBER, 1900, at 6 P. M. Also a stockholder of said company holding more than one-tenth of the capital stock.

AMUSEMENTS.

The Tidewater Vaudeville Compy
WILL GIVE A
Grand Show & Bake Walk
AT LEAGUE PARK,
Commencing Monday, Aug. 13.

This will be one of the grandest exhibitions given in Norfolk for many a day. All good Artistic Shows, Banquets, Circles and Cake Walkers. Change of programme three times a week so everyone will be satisfied. The Bake Walk Band will be on hand for a half hour concert every night. Come one and all to see Norfolk's favorite company.
Admission 15c and 25c. Show starts at 8:00 p. m. every night.
The Grand Stand will be reserved for white people.
a12-31

Ocean View Theatre
JOE LEFACCHER, Manager.

REFINED VAUDEVILLE,
Week Commencing Monday, Aug. 13

"LA FAFALLA"
THE MYSTIC DANCER.

BRIGHT BROTHERS,
Equilibrists and Hand-to-Hand Balancers.
THE FOUR DRAGONS,
Comedians, Singers and Dancers.
PERRELL AND STARK,
Novelty Comedy Duo.
HOWARD SISTERS,
Trio and Contortion Dancers.
Afternoon—1:30 p. m. Evening—8:30

GO WHERE THE CROWDS GO!

NEW PLEASURE PIER!
—OCEAN VIEW—

H. E. ELAM, Manager.
WEEK COMMENCING AUGUST 13.

KEOUGH AND BALLARD,
The Legitimate vs. the Variety.
MISS CHARLOTTE DANFORD,
Mousetrap and the Minute in Bag Time.
THE MATRONS,
Premier Comedians and Comedians.
HAYES AND CONNOLLY,
America's Greatest Comic Duo.
MISS LILLIAN LEROY,
The Irish Widow.
Matinee Wednesday and Saturday at 4:30. Evening at 8:00.
10c. ADMITTANCE PIER AND PERFORMANCES. Children half price.

TO THE PUBLIC

An Collector of Delinquent Personal Taxes for the City of Norfolk, various bills against parties who have failed to pay their personal taxes have been put into my hands for collection. I am required to detain or garnish for the money due.
Should such parties, after being notified, fail to pay me, all personal property belonging to and all salaries due, such parties are liable to distress and garnishment, and
NO EXEMPTIONS, SUCH AS THE POOR MAN'S LAW, ARE ALLOWED AGAINST TAXES.
I take this method of warning such as are delinquent of the consequences of failure to pay when notified by me.
R. T. BROOKE,
Collector of Delinquent Personal Taxes.
a12-101

COURT DECISIONS.

DIGESTED BY W. B. MARTIN

EXCLUSIVELY FOR
VIRGINIAN-PILOT.

Notes of Cases Recently Decided

Which Are of Interest to

Our People.

CARPER V. MARSHALL.

Supreme Court of Appeals of Virginia,
July 5, 1900.

A CREDITOR HOLDING A BOND AS COLLATERAL SECURITY MUST USE DUE DILIGENCE TO COLLECT IT. IF HE FAILS TO DO SO, HE MUST SHOW THE BOND WAS WORTHLESS AND THAT NO LOSS HAS RESULTED FROM HIS LACK OF DILIGENCE.

The court says:
The third assignment of error involves a consideration of Marshall's duty with respect to the bond of Humphries and Hoge, transferred to him by Carper. That bond constituted a lien upon the land sold by Carper to Humphries and Hoge. It was the first purchase money bond and Marshall was entitled to exhaust all the security for its payment as between himself and Carper. In addition to the lien securing its payment, Marshall could look to both of the obligors and to Humphries who signed it as guarantor. By accepting it of Carper he assumed control and dominion over it, and it became his duty to exercise due diligence to make it out of those primarily bound for its payment.

A bond which is transferred as collateral security is put under the dominion of the creditor to make his claim out of it. His duties in respect to it are active. He is to employ reasonable diligence in collecting the money on the security and applying it to the principal debt. He alone is empowered to receive the money to be paid upon it, and to control it in order to protect his right under the assignment. Where the collateral is lost by the insolvency of the debtor in the collateral instrument, through the negligence of the creditor, he must account for the loss to his own debtor.

Carper having parted with all his right of control over the bond which he transferred, Marshall was bound to employ reasonable diligence in its collection. The doctrine is fully stated in Wilson's administrator vs. Barclay's executor, 22 Gratt., at p. 541, by Judge Staples as follows: "It is clear, as a general rule, the assignee must sue the maker or obligor before he can resort to the assignor. This rule is varied where it is perfectly manifest a suit would be wholly unavailing. It is equally clear that where the debt, which has been assigned, is secured by a specific lien, it is the duty of the assignee diligently to enforce such lien before he can have any recourse against the assignor. If he fails to pursue this course, it is incumbent upon him clearly to show that the security was worthless, and that no loss or damage has resulted from his lack of diligence."

It appears that this bond was assigned by Carper to Marshall April, 1891. Suit was not instituted until it until the latter part of October of that year, a term of the Circuit Court having intervened, and judgment was obtained upon it until October, 1893. Carper testified that if suit had been brought promptly on that bond, the whole of it would have been made out of the obligors. It may be that no loss was sustained and that no injury was occasioned by this delay. It may be that the obligors had no other property than that which was subjected in the proceedings instituted against them, but those facts do not appear in this record, and a decree should not go against Carper until an inquiry has been made upon this subject.

The decree must be reversed with instructions to direct the commissioner to report what loss, if any, Carper sustained by reason of Marshall's failure to proceed promptly against those liable upon the bond assigned to him.

Reversed.

PLEASURE PIER OCEAN VIEW.

MANAGER CLAIMS LATEST OFFERING IS WINNING FAVOR.

Last night at the Pleasure Pier, Ocean View, an audience of large proportions witnessed one of the best shows of the bill. The bill was headed by Keough and Ballard, "The Legitimate vs. the Variety." This team delighted the success they made last season at the View and won hearty applause for their clever work. Miss Charlotte Danford, a very attractive lady and one who has many many friends at the View, caught the audience in her monologues and ragtime songs. The Mantleys, banjoists and comedians, gave a rattling exhibition of their art. The skill, technique and expression they each rendered was stamped these people as masters of their art. Hayes and Connolly caught the audience with their buck dancing. Miss Lillian Leroy, operatic soprano, was very pleasing.

The bill will run every night this week with Wednesday and Saturday matinees.

Supplied With New Pews.

Bethel M. E. Church, near Sewell's Point, which is a part of the East Norfolk Circuit, has recently been supplied with new modern-style pews at a cost of about \$100. They are said to be the most handsome in design and make of any Methodist Church in this section. The pastor, Rev. W. R. Crowder, said that the edifice is to be newly painted throughout, and the interior is to be furnished with a new carpet. When the repairs are completed, Bethel Church will be one of the cozier and most comfortable country edifices on the Portsmouth district.

Brains rule
the world

GRAPE-NUTS
FOOD MAKE BRAINS

Try it...

Sold by all grocers

11.

SOCIAL AND PERSONAL

A delightful occasion was the trip to Cape Henry on the Virginia Naval Reserve gunboat "Siren," given by Ensign Louis Van R. Smith, in honor of the young ladies of the "Taint Right Cottage" of Virginia Beach. The party left the Southern Railway wharf in the morning and returned in the evening, delicious refreshments being served on board in the afternoon.

Those enjoying the occasion were Mr. and Mrs. Henry Lucas, Mr. and Mrs. Foster Murray, of Norfolk; Mr. and Mrs. Patterson, of New York; Miss Virginia Allen, Miss Jessie Jones, Miss Katharine Jones, Miss Holland and Miss Leach, of Richmond; Miss Reynolds, of Baltimore; Miss Robinson, of Danville; Misses Julia and Emeline Smith, of Norfolk; Miss Myra Jones, of Richmond; Lieut. John N. Hedges, of Maryland; James Hardin, Lieut. William Leach, of Richmond; Mr. E. Hovey, of Clarence Williams, Mr. James Payne, Mr. Wentworth Nicholas, Mr. Kevel Glennan, Mr. Southgate Taylor, Mr. Henry Lucas, Jr., Mr. Charles Howard, Mr. Charles Sapp, Mr. E. Hovey, Mr. Thomas Thompson, Mr. Clarence Neff, Mr. F. Parreau, Mr. de Bordenave and Dr. Robinson.

Miss Tatem, of Brambleton, left a few days ago for Salem, Va.

Miss Louisa Wilson, of Holly Farm, leaves to-day for Sweet Chalybeate Springs.

Miss George C. Billups and Miss Louise Whit leave to-day for Rockbridge Alum Springs.

Miss Mamie F. Doyle, of Rute street, leaves to-day for Rockbridge Alum.

Miss Louise Robertson, who has been visiting at Virginia Beach, left yesterday for her home in Danville.

A bond which is transferred as collateral security is put under the dominion of the creditor to make his claim out of it. His duties in respect to it are active. He is to employ reasonable diligence in collecting the money on the security and applying it to the principal debt. He alone is empowered to receive the money to be paid upon it, and to control it in order to protect his right under the assignment. Where the collateral is lost by the insolvency of the debtor in the collateral instrument, through the negligence of the creditor, he must account for the loss to his own debtor.

Mr. Kerney Williams, who has been spending some time at the Princess Anne, left on Monday for Mountain Lake, where he will stay the remainder of the summer.

Miss Margaret Reed, who has been spending a week at Mrs. Tucker's estate, at Virginia Beach, returned on Monday to her home in Portsmouth.

Miss Edith Chase has returned to Virginia Beach after a week's stay in Baltimore.

Mr. Neugus, of Mississippi, is stopping at the Princess Anne.

Mr. Allan, of Petersburg, spent Sunday at the Beach.

Mr. Walter Goodwin, of Washington, is the guest of Mr. Truxton, on Freemason street.

Miss Bertie Irvine, who has been visiting her cousin, Mrs. O. A. Hitchcock, of Tunstall avenue, for the past week, returned to her home in Lynchburg, yesterday.

Miss Ethel Redford, of Richmond, spent Sunday at the Beach.

Mr. Alston, of North Carolina, is the guest of his cousin, Mrs. Carr, at her cottage at the Beach.

Mr. Ralph Gunn, of New York, is in town.

Miss Sallie Peebles, of York street, is the guest of Mrs. John Pinner, in Suffolk.

Mrs. Mithado and Mr. Gordon Mithado, leave to-day for Rockbridge Alum Springs.

Mrs. D. B. Cain and Miss Margaret O'Donnell have returned home after a month's stay at Ocean View.

Miss Addie Dillard, accompanied by Miss Elizabeth Hogard, will leave to-day for Rocky Mount.

Dr. J. L. Walker left on Saturday for Lunenburg county, where he will spend his vacation.

Miss Addie Denolton, who has been visiting Miss Frances Calpepper, on Freemason street, returned to her home in Portsmouth on Friday.

Mrs. La Petus leaves to-day for Ocean View, where she will spend several weeks.

Miss Jennett Williams, of Parkland street, left the city yesterday for Southampton county for a stay of two weeks.

Mr. and Mrs. Charles Parker leave last week for an extended Southern trip, which will include Narragansett Pier and other points of interest.

Dr. Lloyd Williams left last week for Washington, D. C.

Mrs. Capps and daughters, Misses Norma, Lottie and Mary Capps, of Norfolk, are the guests of Mr. and Mrs. Owen, on Boardwalk yacht "Vivid," anchored off Old Point.

J. A. Smedley spent Sunday with them.

THE AGELASTO TROPHY.

At Atlantic City, Saturday, Clarence V. Angler, Jr., of Atlantic City, won the championship in tennis of the Southern States and of Georgia and the Agelasto trophy in a challenge match yesterday against E. Coleman Ward, of Birmingham, who formerly held those honors. The match was marked for its brilliant playing throughout. The score was 10-8, 6-3, 5-7, 6-3.

Picture weddings are the fashion now, bridal dresses being often of chiffon worn with a ribbon and orange blossom, long ends depending therefrom to the hem of the skirt. The underskirt is tucked and draped with long overskirt, the train trimmed with cascades of flowers; the veil tulle. The maids of honor and the bridesmaids wear Empire frocks with very full waists made in some thin material, and a long cascade of flowers sash round the waist; the children wear as bridesmaids wearing close-fitting lace caps, while the older ones have picturesque hats trimmed with roses and paste buckles; the sleeves end at the elbow.

Queen Victoria is a great lover of flowers, and spends much of her time in the beautiful gardens connected with her palaces. Her great thought, when she reaches her picturesque castle in the Isle of Wight, is generally to visit the lovely myrtle bush, which was planted in 1838 by the Prince Consort. This was once only a little sprig from the Empress Frederick's wedding bouquet, but for forty years it has supplied bits of myrtle for the bouquets of royal brides.

BRIEF ITEMS OF INTEREST.

John Mariner, of Norfolk, Va., has shipped five of his string basses to the Gentlemen's Driving Club, Baltimore, to be prepared for local races.

About 150 people went on the New York, Philadelphia and Norfolk Railway Company's moonlight excursion to Old Point and the Capes Sunday night. They returned to the city about 11:30 o'clock.

Two hundred people from this city and Portsmouth went on the excursion to Richmond over the Chesapeake and Ohio Railway Sunday. They reached Norfolk on their return trip at 10 o'clock that night.

Professor, to join his wife, who is in the city for a few days.

Mr. and Mrs. C. M. Dockham, of New Bern, N. C., were in Norfolk yesterday.

Miss Mamie W. Pitts, accompanied by her cousins, the Misses Emory and Jennie Leatherbury, who have been her guests for several days, left this morning for Onancock, Va. Among the party are Miss Mildred, Messrs. Charles D. and E. P. Pitts and Miss Sallie Addison.

Rev. S. C. Hatcher, of Queen Street M. E. Church, left yesterday for Louisa county, Va., to join his wife, who is spending the summer there. He will be absent about two weeks.

Mr. J. R. Britton has returned from a ten days' pleasant visit to his relatives at the old homestead, Hickory Ground, Va.

Mr. J. M. Priest, secretary and treasurer of the McClary & McClellan Live Stock Company, is spending his vacation with his parents in Loudoun county.

The regular business meeting of the Anna Gordon "Y" will be held at the home of Miss Williams, 142 Maple avenue, on Monday. All members are requested to be present.

The regular business meeting of the Francis Barnes "Y" will be held at the home of Mrs. G. C. Gunter, 109 Bermuda street, at 8 p. m.

Mr. A. B. Ames, of the firm of Ames, Brownley & Hornthal, left Saturday evening for New York to purchase fall stock.

Miss Rosa Conaty has returned home after visiting her aunt in Richmond.

Capt. W. W. Day, member of the Democratic District Committee, will go to Richmond to-morrow to attend a meeting of the Democratic State Committee.

Rev. Dr. T. D. Kerfoot, a distinguished preacher, who has been spending his vacation at Virginia Beach, returned to his home in the South yesterday.

The Dumont is a handsome sleigh, which is 150 feet over all and has ample freight and passenger capacity.

The Dumont is now at Richmond, and will leave on Thursday morning at 7 o'clock for Norfolk, stopping at Jones river landings and arriving at Norfolk at 5:30 p. m. She will leave on alternate days from either terminus.

On Sunday the Dumont made a trip down the bay from Baltimore in less than 14 hours under easy steam.

NEW JAMES RIVER LINE.

HAS BEEN ESTABLISHED—FIRST TRIP THURSDAY OF THIS WEEK.

A new steamboat line for the James River has just been established and one steamer will be used at present. This is the General J. A. Dumont, and Mr. T. Archer is general manager.

The Dumont is a handsome sleigh, which is 150 feet over all and has ample freight and passenger capacity.

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Weary Women
Rest and help for weary women are found in Lydia E. Pinkham's Vegetable Compound. It makes women strong and healthy to bear their burdens, and overcomes those ills to which women are subject because they are women.

Lydia E. Pinkham's Vegetable Compound

is known from coast to coast. It has cured more sick women than any other medicine. Its friends are everywhere and they are constantly writing thankful letters which appear in this paper.

If you are puzzled write for Mrs. Pinkham's advice. Her address is Lynn, Mass. She will charge you nothing and she has restored a million women to health.

SPECIAL
—FOR—
BARGAIN HUNTERS

New line Black Cloth for Skirts and Suits from \$2.50 to \$2.99 per yard. Black and all colors.

UMBRELLAS.

A good French steel rod parasol frame. Elastic and durable.

All other grades of Umbrellas at prices in proportion. All Parasols at cost. We do not exaggerate values.

L. H. Whitehurst,
336 MAIN STREET.
New Phone 557. Old Phone 1273.

WATT, RETTEW & CLAY.

Cotton Goods
Bargains.

Extraordinary values in white cotton goods are still here a-plenty. There's no more of the 17c India Linon at 12 1/2c, though But, we have a very good one (considerably better than what you find generally) at this price. It can safely be classed as a good 15c value.

Wide white White P. K.—cords run lengthwise. Our regular 25c and 25c goods, at 15c.

Extra heavy and wide flat welt White P. K.—cords run crosswise. Our regular 25c goods, at 15c.

The regular 25c Mercerized Stripe White P. K., 25c.

Handsome Imported White P. K.—damask and tucked effects—the very thing for children's refters, 25c.

72-inch White Organdies—25, 33, 37 1/2 and 50c.

72-inch Black Organdies—25c and 50c. Drapery Cretonnes—large floral effects—new patterns—64c, a yard.

Yard-wide Brown Cotton—the 7c grade, in two to ten-yard lengths—10 1/2c a yard.

Two to ten-yard lengths of regular 10c Bleached Cotton, at 5c, a yard.

Good Shirting Cheviots for working shirts—light and dark stripes and checks—the 10c grade, at 7c, a yard.

Excellent Bleached Sheets—size 68x90 inches—hemmed, ready for use—45c, each.

Pillow Cases—size 45x26 inches—10c. Hemstitched, 12 1/2c.

Bolster Cases—size 42x72 inches—25c, each.

Watt, Rettew & Clay.
Ames, Brownley & Hornthal

The Monticello Corner.

The last of the
Organdies and
French Gingham!

The remainder of the 4000 yards of French Organdies which we have been selling at 7 1/2c per yard is very small. The immense throngs have purchased hundreds and hundreds of dresses, but a pretty assortment remains. They are 35c. French Organdies and we sell them at 7 1/2c instead. Flowered. The 25c French Gingham which we have been selling at 17c, is decreasing rapidly, but a big variety of staple styles is still outspread for you at the same price, 17c instead of 25c. See our new plain-back skirtings.

"Our windows tell the styles."

ADVICE: Use Dr. Chamberlain's English Pennyroyal Pills. Best Sufferer's Remedy. Buy of your Druggist, or send 10c. stamps for notice. Users of Chamberlain's English Pennyroyal Pills. Chamberlain Chemical Co., Philadelphia, Pa.

MIDSUMMER STOCK CLEARANCE
—AT—
BURK'S

Still Deeper Cutting For Still Greater Results

A Wonderful of the Rarest Bargains. Offerings reveals itself this week at the Big Store to shrewd, sensible and economic purchasers of Men's Attire—the buying chances are marvelous—such covers price cutting was never heard of—such sacrificing never witnessed—never have such very low figures controlled such elegance, choiceness, worth and wear in high class Men's Attire as contained in these.

MATCHLESS SUIT BARGAINS.

For splendid Cassimere, Cheviot and Tweed Suits—in numerous patterns and designs—well made and finished—cut from \$4.00, \$6.00 and \$7.00.

For fine Pure Wool Cheviots, Cassimere and Flannels, in handsome plaids, checks, stripes and mixtures—elegantly made and fashioned into nobby sack styles—the luckiest of lucky chances for money savers—cut from \$7.00, \$8.00 and \$9.00.

For elegant Worsted, Cheviot, Cassimere and Tweed Suits in countless patterns and designs—well made and finished—cut from \$10.00, \$11.00 and \$12.00.

For excellent Foreign Worsteds, Cheviots, Cassimere, Flannels, Serges and Diagonals in the newest and most up-to-date patterns and designs—well made and fashioned into nobby sack styles—the luckiest of lucky chances for money savers—cut from \$13.00, \$15.00 and \$16.00.

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